

## CLASSIFICATION OFFICE DECISION

**Title of publication:** ?8e759fcc?NEW FOLDER\YH19013D.BMP

**Other known title(s):** Not stated

**OFLC ref:** 1900562.013

**Medium:** Image File

**Producer:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** Commissioner of Police

**Classification:** Objectionable.

**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 31 January 2020

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 31 January 2020

### Summary of reasons for decision:

The image file is deemed to be objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children for sexual purposes. It depicts a young boy performing a sexual act on a female of indeterminate age; while she may be a young person she could equally be a young adult. The image is intended for the sexual arousal and titillation of adults with an interest in children. The availability of such material encourages the creation or reinforcement of this sexual interest by presenting children as sexually aware, sexually active and appropriate subjects for adult sexual fantasy and desire. The image also has the potential to be used for grooming purposes. This classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act be banned. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.